

ESTTA Tracking number: **ESTTA925543**

Filing date: **10/01/2018**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91243195
Party	Defendant Uno Dos Tres, LLC
Correspondence Address	ERIN R. OGDEN OGDENGLAZER, LLC 505 S. ROSA ROAD, #225 P.O. BOX 45116 MADISON, WI 53744 erogden@ogdenglazer.com, ip@ogdenglazer.com no phone number provided
Submission	Answer
Filer's Name	Joseph Woolfolk
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Date	10/01/2018
Attachments	2018-10-1_23926.pdf(519637 bytes)

October 1, 2018

El Consejo de Uno Dos Tres

Uno Dos Tres, LLC

v.

Pizzeria Uno Corporation

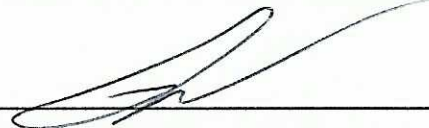
As required from the applicant to file a timely answer (within the forty [40] day period) through ESTTA - Electronic System for Trademark Trials and Appeals, an answer that complies with Fed. R. Civ. P. 8(b) to admit or deny the allegations made by Pizzeria Uno Corporation, Uno Dos Tres, LLC hereby submits and denies all allegations made in the notice of opposition found in application No 87821726.

The Counsel of Uno Dos Tres does not believe it's intended use of the mark: "Uno Dos Tres" will cause damage to the mark(s) of Pizzeria Uno Corporation; stated under Application Serial No. 87/821,726. The Counsel of Uno Dos Tres does not believe it will neither cause confusion, mistake, or deception of relevance to Pizzeria Uno Corporation, nor confusion and damage to customers, and/or potential customers of Pizzeria Uno. Uno Dos Tres, LLC has no interest in employing the word "Uno" as utilized and perceived by Pizzeria Uno Corporation. Uno Dos Tres, LLC employs "Uno Dos Tres" as a Spanish phrase that is different in combinations to the word "Uno" utilized by Pizzeria Uno Corporation. There are many companies using the word 'one' for their products and branding. In turn, there is more than one single way of publicizing the word "Uno" as well, as demonstrated by Pizzeria Uno Corporation.

In order of providing proof of service, as noted in TBMP § 113.03, please find the following certificate of service below:

I hereby certify that a true and complete copy of the foregoing El Consejo de Uno Dos Tres has been served on Pizzeria Uno Corporation by forwarding said copy on October 1, 2018, via email to: Attorney John L Welch, jlwtrademarks@wolfgreenfield.com.

Signature _____



Date _____

10-1-18